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TO

Name Ms. Devona E. GaulkCompany or Firm USPTO,Facsimile Tel. No. 1-703-872-9306**RECEIVED**
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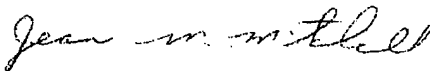
telephone us at (216) 579-1700 and ask for Jean Mitchell

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RE: Appl. No.: 09/940,401
Applicant: Francois Marquis
Filed: August 27, 2001
Title: WIRELESS TRANSMITTER AND HEARING SYSTEM
Docket No.: 33904

Dear Ms. Faulk,

Per our phone conversation this morning, attached is a copy of the Response And Election submitted to the PTO on March 1, 2005. Also attached is a copy of the return postcard showing the PTO received our submission on March 3, 2005.



Jean M. Mitchell
Sect'y to Michael W. Garvey

BEST AVAILABLE COPY

07/13/2005 09:53 FAX 216 579 1700

Pearne & Gordon LLP

002

Express Mail: _____ No. 251,04

Inventor / Applicant: FRANCIS MORGAN

Title: WIRELESS TRANSMITTER AND HEATING SYSTEM

Serial No. 10/240,461 Patent No. _____ Date: _____

Filed: August 27, 2005 Examiner: _____

Enclosed Are:

☐ PATENT APPLICATION

____ New Application Transmittal

____ Fee Transmittal (in duplicate)

____ Application Data Sheet

____ Declaration & Power Of Attorney _____ pgs.

____ Pgs. of Claims

____ Sheet(s) of Drawing(s)

____ Formal _____ Informal

____ Continuation or Division

☐ ASSIGNMENT _____ pgs.

____ Transmittal(s)

____ Original _____ Copies

☐ INFORMATION DISCLOSURE

____ PTO-1449 _____ Refs.

☐ AMENDMENT _____

in Response to Paper No. _____

Priority Documents _____ listed below

Other Letters

Response to election

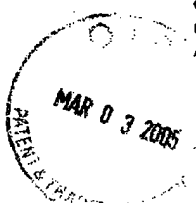
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Int. 8 Date 3/1/05

ACKNOWLEDGES RECEIPT OF:



JUL 13 2005

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: : 10/940,401
Applicant : François Marquis
Filed : August 27, 2001
Title : WIRELESS TRANSMITTER AND HEARING SYSTEM

Conf. No. : 4354
TC/A.U. : 2644
Examiner : Devona E. Faulk

Customer No. : 00116
Docket No.: : 33904

RESPONSE AND ELECTION
(In response to Paper No. 1072005)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

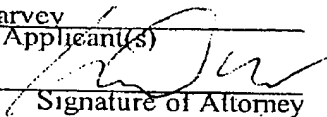
Sir:

This communication is filed in response to the Office action dated January 13, 2005. The one month period for responding to the Office action expired on February 13, 2005. Accordingly, applicant respectfully requests and petitions that the response date be extended, 1 month, up to and including March 13, 2005. The \$120.00 extension of time fee is enclosed.

The Examiner has required Applicant to elect a single invention for prosecution on the merits. Applicant hereby elects to proceed with Invention I, claims 1-13, drawn to a method without traverse.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 2313-1450, 20231 on the date indicated below.

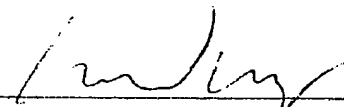
Michael W. Garvey
Name of Attorney for Applicant(s)

1 Mar 05
Date
Signature of Attorney

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33904.

Respectfully submitted,
PEARNE & GORDON LLP

By:


Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
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Date: 1 MAR 05